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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/013,092	12/07/2001	Diane C. Moffi	36968-262340	2348
23552	7590	08/23/2005		
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER AFSHAR, KAMRAN	
			ART UNIT 2681	PAPER NUMBER
DATE MAILED: 08/23/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/013,092	Applicant(s) MOFFI ET AL.	
	Examiner <i>K.A.</i> Kamran Afshar, 571-272-7796	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2 and 4-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2 and 4-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 2 and 4-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 4-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tasi (U.S. Patent 6,567,676 B1) in view of Nakamura (U.S. Patent 6,252,495 B1) further in view of Stanley (U.S. pub. No.: 2002/0068605 A1).

With respect to claims 1, 22, 38, Tasi discloses a method of making a hands-free mobile telephone call with a mobile telephone (See e.g. Co. 1, Lines 13-17), which inherently accessing an electronic telephone directory; searching the electronic telephone directory; sending a signal to select an entry in the electronic telephone directory (See e.g. dial member / device communicating in wireless manner with the mobile telephone, Co. 1, Lines 61-63); sending a wireless signal from a satellite remote to the mobile telephone to make the mobile telephone call (See e.g. Co. 1, Lines 61-63), wherein the satellite remote (See e.g. dial communication device) is used to access, to search, to select an entry in the electronic telephone directory (See e.g. to perform the dialing function, Co. 1, Lines 42-48, Co. 2, Lines 27-28). In an analogous field of endeavor, also discloses inherently accessing an electronic telephone directory (See e.g. 10, 15 of Fig. 1, Co. 3, Lines 3-15); searching and / or scrolling the electronic telephone directory; (See e.g. scrolling keys 19, 20 of Fig. 1, Co. 4, Lines 29-31) and generating an audible announcement (See e.g. 23-24 of Fig. 1, Co. 3, Lines 26-39) of the entry in the electronic telephone and / or means for audibly announcing (See e.g. Co.7, Lines 39-47) a party to be called (See e.g. Co. 8, Lines 6-17). Therefore, it would have been obvious to one ordinary skill in the art

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at the time of the invention to provide above teaching of Nakamura to Tasi to provide a satellite remote and / or a remote selector used to access, to search, to select an entry in the electronic telephone directory (See e.g. Co. 8, Lines 33-40), and generating and audible announcement / a sound so that a user or an operator can recognize the destination (i.e. the calling number or the calling name) is placing the call (See e.g. Co. 8, Lines 6-17). The motivation comes from Stanly providing a satellite remote and / or a user interface for a cell phone or other wireless communications device used in a motor vehicle that enables a vehicle operator to make, field, and engage in two-way wireless communication while maintaining a two-handed grip on the steering wheel and visual attention to the road (See e.g. Page 1, ¶ [0008]).

Regarding claim 4, Nakamura discloses a user (i.e. visually handicapped person can readily place a call) may operate the satellite remote using the user's foot (See e.g. Co. 8, Lines 14-17).

Regarding claims 5, 25, Nakamura discloses a scrolling device (See e.g. scrolling keys 19, 20 of Fig. 1, Co. 4, Lines 29-31) for searching through the electronic telephone directory and sending a signal to select an entry in the electronic telephone directory (See e.g. Co. 7, Line 34-35 & Lines 60-67).

Regarding claims 6, 26, Nakamura discloses the satellite remote searches through the electronic telephone directory by name (See e.g. Co. 7, Line 34-35 & Lines 60-67 & 30 of Fig. 1).

Regarding claims 7, 27, Nakamura discloses searches through the electronic telephone directory by telephone number (See e.g. Co. 7, Line 34-35 & Lines 60-67 & 30 of Fig. 1).

Regarding claims 8, 28, Nakamura discloses inherently searches through the electronic telephone directory by one entry at a time (See e.g. 30 of Figs. 1, 4-5).

Regarding claims 9, 29, Nakamura discloses inherently searches through the electronic telephone directory by multiple entries at one time (See e.g. 30 of Figs. 1, 4-5).

Regarding claim 10, Nakamura discloses inherently the multiple entries are grouped by a letter of the alphabet and searches through the electronic telephone directory by the letters of the alphabet (See e.g. 30 of Figs. 1, 4-5).

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Regarding claim 11, Nakamura discloses inherently search through the electronic telephone directory by one entry at a time and by multiple entries at one time (See e.g. Co. 7, Line 34-35 & Lines 60-67 & 30 of Figs. 1, 4-5).

Regarding claims 12, 34, Stanley discloses Stanley discloses sending a signal to select an entry in the electronic telephone directory is accomplished using an infrared signal (See e.g. initiate dialing sequence using RF signal, direct wired and or infrared connection, Page 4, Paragraph [0060]).

Regarding claims 13, 35, Stanley discloses searching the electronic telephone directory and sending a signal to select an entry in the electronic telephone directory (See e.g. MUI Figs. 1-3, Page 3, ¶ [0052]) is accomplished inherently using a radio frequency signal (See e.g. Page 4, ¶ [0058], ¶ [0061]).

Regarding claim 14, Stanley discloses wire connecting the satellite remote (See e.g. MUI of Fig. 1, Page 3, Paragraph [0036]) and the mobile telephone (See e.g. Page 2, Paragraph [00018]).

Regarding claim 15, Stanley discloses inherently answering an incoming mobile telephone call using the satellite remote (See e.g. MUI of Fig. 1, Talk key, Page 3, ¶ [0036]).

Regarding claim 16, Stanley and Nakamura disclose activate a call-waiting feature using the satellite remote (See Stanley e.g. MUI of Fig. 1, Hold key, Page 3, ¶ [0036] & Nakamura e.g. hold button 13, Co. 3, Lines 19-20).

Regarding claims 17, 23, Nakamura discloses accessing the electronic telephone directory comprises accessing an electronic telephone directory in the mobile telephone (See e.g. Page 8, Co. 8, Lines).

Regarding claims 18, 24, Nakamura discloses accessing an electronic telephone directory in an external memory system (See e.g. Memory 15 of Figs-1-2).

Regarding claims 19, 20, 31-32, Nakamura discloses generating an audible announcement of the entry in the electronic telephone directory (See e.g. 23-24 of Fig. 1, Co. 3, Lines 26-39) includes using a speaker or earphone (See e.g. Co.7, Lines 39-47) to permit a user to hear the audible announcement and / or announcing a party to be called (See e.g. Co. 8, Lines 33-40).

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Regarding claims 21, 33, Stanley discloses speaker or earphone to permit a user to hear the audible announcement (See e.g. Page 5, Page 2, Paragraphs [0018], [0021], Page 3, Paragraph [0047], Page 5, Paragraph [0064]).

Regarding claim 30, Nakamura discloses the scrolling device is constructed and arranged to search through the telephone directory by one entry at a time (See e.g. scrolling keys 19, 20 of the device of Fig. 1, Co. 4, Lines 29-31) and the satellite remote further includes means for searching through the telephone directory by multiple entries at one time (See e.g. 30 of Figs. 1, 4-5).

Regarding claim 36, Tsai discloses the means for sending a signal from the satellite remote to the mobile telephone comprises a wire connecting the cradle and the satellite remote (See e.g. 26, 21, 30-33, & 40 Of Fig. 4, Co. Co. 2, Line 61 – Co. 3, Line 15).

Regarding claim 37, Tsai discloses a cradle for holding the mobile telephone and receiving the signal from the satellite remote (See e.g. 26, 21, 30-33, & 40 Of Fig. 4, Co. Co. 2, Line 61 – Co. 3, Line 15).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Brouns (U.S. Patent 6,539,238 B1), which discloses Fall through telephone directory.

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b) Ho (U.S. Pub. No.: 2004/0204119 A1), which discloses Method enabling mobile telephones to have automatic multiple telephone number dialing capability to a same called party.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Feild, Joseph** can be reached @ (571) 272-4090. The fax number for the organization where this application or proceeding is assigned is **571-273-8300** for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kamran Afshar

JEAN GELIN
PRIMARY EXAMINER

